

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TEAM WORLDWIDE CORPORATION, Plaintiff, v. ACADEMY, LTD D/B/A ACADEMY SPORTS + OUTDOORS, Defendant.	Case No. 2:19-cv-92-JRG-RSP LEAD CASE
ACE HARDWARE CORPORATION, AMAZON.COM, INC, AMAZON.COM LLC, BED BATH & BEYOND INC., COSTCO WHOLESALE CORPORATION, DICK'S SPORTING GOODS, INC., THE HOME DEPOT, INC., MACY'S RETAIL HOLDINGS, INC., MACY'S.COM, LLC, TARGET CORPORATION, SEARS, ROEBUCK AND CO., SEARS HOLDINGS CORPORATION, TRANSFORM SR LLC, AND TRANSFORM KM LLC, Defendants.	Case No. 2:19-cv-00093-JRG-RSP Case No. 2:19-cv-00094-JRG-RSP Case No. 2:19-cv-00095-JRG-RSP Case No. 2:19-cv-00096-JRG-RSP Case No. 2:19-cv-00097-JRG-RSP Case No. 2:19-cv-00098-JRG-RSP Case No. 2:19-cv-00099-JRG-RSP Case No. 2:19-cv-00100-JRG-RSP Case No. 2:20-cv-00006-JRG-RSP CONSOLIDATED CASES

JOINT MOTION TO RESET TRIAL DATE

Plaintiff Team Worldwide Corporation (“TWW”) and Defendants Academy, Ltd. d/b/a Academy Sports + Outdoors; Ace Hardware Corporation; Amazon.com, Inc. and Amazon.com LLC; Bed Bath & Beyond Inc.; Costco Wholesale Corporation; Dick’s Sporting Goods, Inc.; Home Depot Product Authority, LLC; Macy’s Retail Holdings, Inc. and Macy’s.com, LLC; Target Corporation (“Target”); and Sears, Roebuck and Co., Sears Holdings Corp., Transform SR LLC and Transform KM LLC (collectively, “Defendants”) (collectively the “Parties”) respectfully provide the information below with respect to the Court’s order setting jury selection as June 3, 2021 for *Team Worldwide Corporation v. Target Corporation*, Case No. 2:19-cv-00100. The Parties provide this information for the Court’s consideration in scheduling trials assigned a June 3 jury selection. In view of the conflicts on both sides, the Parties request the Court reset jury selection and trial to a later date.

Conflicts Common to Both Sides

June 7, 2021. Mr. Trevor Carter, one of the lead counsel for Defendants, and Mr. Robert Harkins, a senior member of TWW’s trial team, have a Federal Circuit telephonic oral argument in *Team Worldwide Corporation v. Intex Recreation Corp.*, CAFC-20-1975 on June 7, 2021 beginning at 9:00 AM Central.

TWW

Dr. Stephen Becker, TWW’s damages expert, is testifying in the trials listed below from June 2 through June 18, 2021:

- June 2-4, 2021. *Anderson Living Trust v ConocoPhillips*, Case No. 1:2012-cv-00039, Class Certification Hearing in the U.S. District Court for the District of New

Mexico.

- June 4-18, 2021. *Finjan Inc. v. Cisco, Inc.*, Case No. 5:17-cv-00072, in the U.S. District Court for the Northern District of California (San Jose)

May 26 – June 5, 2021. For Mr. Mark Mann, TWW's local counsel and a senior member of the TWW trial team, his wife is having a medical procedure in Dallas, Texas on May 26th which requires him to remain home to care for her from May 26th to June 5th. During a convalescent period at home Mr. Mann will be the primary caretaker in the home for the 10 days post procedure.

Defendants

June 7-11, 2021. Mr. Todd Schoettelkotte¹, Target's damages expert, is set to testify the week of June 7th in *Pierce Manufacturing et al v. E-One, Inc. et al.*, Case No. 8:18-cv-617-JSM-TGW, in the U.S. District Court for the Middle District of Florida.

Subject to the Court's approval and further guidance, the Parties will continue to meet and confer to provide the Parties' availability for trial.

Respectfully submitted,

Date: May 11, 2021

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Home Depot Product Authority, LLC; and
Target Corporation*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 11th day of May 2021 with a copy of this document via CM/ECF.

Respectfully submitted,

By: Korula T. Cherian

CERTIFICATE OF CONFERENCE

I hereby certify that counsel of record for the parties met and conferred on May 11, 2021. The parties were able to reach agreement on the matters described above.

/s/ Korula T. Cherian